



HUMAN RIGHTS INITIATIVE IN BURMA

SUMMARY OF PHASE 1

April 2004

**Report prepared for the Australian Agency for International
Development (AusAID)
by the Castan Centre for Human Rights Law, Monash University.**

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ISBN 1 920861 22 X

1. Introduction

This report is intended to provide AusAID with a detailed summary of activities under the Human Rights Initiative in Burma, Phase 1 (HRI 1).

2. Objective of Training

The goal of Phase 1 of the project was to provide human rights training as part of Australia's commitment to assist with the development of effective action on human rights and social issues in the Asia-Pacific Region.

The purpose of the project was to introduce issues such as major international human rights instruments and the role of the United Nations in the promotion and protection of human rights to Burma civil servants who had responsibilities relating to human rights and international law.

3. Summary of Activities under Human Rights Initiative (Phase 1)

Activities in 2000

In 2000, AusAID sponsored three training workshops in Rangoon. The first two were introductory courses, each of five days' duration with 25 participants. A more intensive course of ten days for twenty-five participants, selected from the fifty participants in the first two courses, was held in October 2000.

Activities in 2001

The 2001 series of workshops consisted of four workshops, each of four days' duration with 25 participants. The participants for these courses were drawn from a wider range of government ministries and so-called non-government organisations and the courses were held in Rangoon and Mandalay.

The first two workshops in the 2001 series were conducted in Rangoon from 9th to 12th July and in Mandalay from 16th to 20th July. The second round of workshops was conducted in Rangoon from 24 – 27 September and 1 - 4 October.

Activities in 2002

The 2002 series of workshops focused on regional centres outside Rangoon with workshops in Mandalay from 22-26 July and Taunggyi from 29 July – 1 August. Another series of three workshops was held in Rangoon between 21 October and 1 November focusing on the Rights of the Child. Each of the workshops was four days' duration with 25 participants.

5. Topics Covered

Throughout the workshops conducted during Phase I of the HRI, a wide range of human rights topics were covered, including:

- children's rights (including in respect of child labour and child soldiers);
- forced labour;
- forced relocation;
- women's' rights (including addressing issues of trafficking of women and accusations of mass rapes by military)
- human rights in armed conflict;
- democratic rights (especially freedom of speech and movement; freedom to vote; non-discrimination; privacy; freedom from arbitrary arrest; fair trial; independence of judiciary);
- reports of the UN Human Rights Committees (committees on Convention on the Elimination of All Forms of Discrimination Against Women and Convention on the Rights of the Child);
- philosophy of rights (including consideration of notions of universality and cultural relativism of human rights);
- human rights in comparative and regional contexts.

6. Workshops Format

Each of the Phase I workshops were typically of four days duration with 25 participants. Training involved a variety of teaching methods and an extensive use of role play and focused question and answer sessions. Typically, at the conclusion of each day the trainers would give a 10-15 minute summary of the key issues covered during the day. This summary was usually taped (as was much of the training), translated into Burmese and distributed to all

participants and key Government of Burma (GOB) officials. The whole breadth of human rights issues – from philosophical origins, through international and regional regimes to domestic implementation were covered at a basic level in each workshop. In addition, specific issues such as certain civil and political rights, economic and social rights, children's rights and women's rights were covered in more depth.

Typically, workshops were facilitated by 2 trainers. All were conducted in English, although with some, formal and informal translation/interpretation.

7. Training Materials Utilised

The types of readings set were both standard human rights texts (primary and secondary) that are used for most University human rights courses in Australia as well as more targeted materials relating to human rights in Burma. These included:

- The Universal Declaration on Human Rights as well as the other 6 principal UN Human Rights instruments;
- Relevant International Labour Organisation (ILO) Conventions, commentary and reports (including on Burma);
- Regional human rights treaties and institutions;
- Commentaries on the operation of these instruments and the institutions that oversee their implementation;
- International Committee of the Red Cross materials on 'Human rights obligations of security and armed forces;' and
- Critical analyses of the performance of various states (including Burma and Australia, as well as other countries in the region and in respect of both developed and developing states) in the implementation of their international human rights obligations.

Workshop materials used also included many highly critical of the human rights record of the GOB:

- International Labour Organisation (ILO) reports on Burma;
- Amnesty International's Shan Women's Rape Report (2002);
- Country Reports of Amnesty International and Human Rights Watch;
- UNICEF reports on the state of the protection of children's rights in Burma including the critical responses of the UN Human Rights Committees (committees on Convention on the Elimination of All Forms of Discrimination Against Women and Convention on the Rights of the Child), as well as so-called 'shadow reports' on Burma's human rights record under each treaty submitted by NGOs;
- UN Commission on Human Rights Resolutions/Statements on Burma;
- Reports of the UN Special Rapporteur for Burma to the UN and the UN Secretary-General's Special Envoy to Burma; and,
- Various media reports.

8. Burma Government and "Non Government Agencies" Involved

The Human Rights workshops delivered under Phase 1 involved the following GOB and "NGO" agencies:

- Myanmar Human Rights Committee
- Ministry for Home Affairs
- National Police
- Supreme Court
- Mandalay local government divisions
- Office of the Attorney General
- Department of Social Welfare (DSW)
- Myanmar Women's Affairs Committee
- Myanmar Maternal and Child Welfare Association
- Ministry of Foreign Affairs
- Ministry of Immigration and Border Affairs
- Myanmar Medical Association
- Ministry of Education

9. Table summary of Phase 1 Activities

Activity	Location	Dates	Days	Number of participants	Gender Breakdown	Ministry Breakdown / Target group
2000						
<i>Human Rights And Responsibilities Workshops</i>	Rangoon	Workshop 1: 4-7th July	5	25	6 F 19 M	Ministry Home Affairs (12) Ministry of Foreign Affairs (4) Office of Attorney General (6) Department of Social Welfare (3)
	Rangoon	Workshop 2: 10–13 th July	5	25	5 F 20 M	Ministry Home Affairs (13) Ministry of Foreign Affairs (4) Office of Attorney General (5) Department of Social Welfare (3)
	Rangoon	Workshop 3: 9 –19 th October	10	25	Data unavailable	Data unavailable
Sub-total			20	75		
2001						
Human Rights And Responsibilities Workshops	Rangoon	Workshop 1: 9 - 12 July	4	22	9F 12 M	Workshop1: Ministry of Home Affairs; Supreme Court; Ministry of Labour, Education; Social Welfare; Immigration and Population; Religious Affairs; Office of the Attorney General and the Myanmar Anti-Narcotics Association
	Mandalay	Workshop 2: 16 - 20 July	4	22	5F 17M	Workshop 2: Ministry of Religious Affairs; Labour; Home Affairs; Education; Progress of Border Areas and National Races; Immigration and Population; Culture; the Supreme Court; Office of the Attorney General; Myanmar Maternal and Child Welfare Association.
	Rangoon	Workshop 3: 24-27 September	4	25	Data unavailable	Workshop 3: Participating Ministries: Foreign Affairs, Attorney General's Labour, Health, Education, Immigration MHA plus University Professors and participants

Activity	Location	Dates	Days	Number of participants	Gender Breakdown	Ministry Breakdown / Target group
						from NGOs.
	Mandalay	Workshop 4: 1-4 October	4	25	9F 16M	Workshop 4: Participating Ministries: Foreign Affairs, Attorney General's Labour, Health, Education, Immigration MHA plus University Professors and participants from NGOs.
Sub-total			16	94		
2002						
Human Rights And Responsibilities Workshops	Mandalay	Workshop 1: 22 - 26 July	4	25	Data unavailable	<i>Workshop 1:</i> A wide range of organizations – government and non governmental organisations
	Taunggyi	Workshop 2: 29 July - 2 August	4	26	Data unavailable	<i>Workshop 2:</i> A wide range of organizations – government and no governmental including 5 participants representative of various Shan ethnic minority groups; judges and university lecturers
Convention on the Rights of the Child	Rangoon	Workshop 3: 21 –23 Oct 21 –23 Oct	3	25	4F 21M 20M	<i>Workshop 3 & 4:</i> State and Divisional CRC Committee Members - including DSW personnel, health officers, education officers, labor department officers, medical practitioners, judicial officers, law officers, police, general administration department staff and local NGOs
	Rangoon	Workshop 4:	3	25	5F	See Above
	Rangoon	Workshop 5: 24-25 Oct and 31 st Oct /1 st Nov	4	20	16F 4M	<i>Workshop 5:</i> Senior DSW Staff Senior DSW staff responsible for the CRC
Sub-total			18	121		
Total			54	290		